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PPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/041,975	03/13/1998	MARC ALIZON	2356.0011-06	4167
22852 7	7590 03/19/2003			
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 1300 I STREET, NW			EXAMINER	
			PARKIN, JEFFREY S 23	
WASHINGTO	N, DC 20006		ART UNIT	PAPER NUMBER
			1648	
		DATE MAILED: 03/19/2003		

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
Advisory Action	09/041,975	ALIZON ET AL.				
Advisory Action	Examiner	Art Unit				
	Jeffrey S. Parkin, Ph.D.	1648				
The MAILING DATE f this communication appears on the cover sheet with the correspondence address						
THE REPLY FILED 08 January 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.						
PERIOD FOR REPLY [check either a) or b)]						
 a) The period for reply expires 6 months from the mailing date b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire I ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS 706.07(f). 	dvisory Action, or (2) the date set forth ater than SIX MONTHS from the mailing	g date of the final rejection.				
Extensions of time may be obtained under 37 CFR 1.136(a). The fee have been filed is the date for purposes of determining the period of fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of (2) as set forth in (b) above, if checked. Any reply received by the Office timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.136(a).	f extension and the corresponding amo the shortened statutory period for reply be later than three months after the mai	unt of the fee. The appropriate extension originally set in the final Office action; or				
1. A Notice of Appeal was filed on <u>08 January 2003</u> . Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.						
2. The proposed amendment(s) will not be entered because:						
(a) ☑ they raise new issues that would require further consideration and/or search (see NOTE below);						
(b) ⊠ they raise the issue of new matter (see Note below);						
(c) ☑ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or						
(d) 🖾 they present additional claims without canceling a corresponding number of finally rejected claims.						
NOTE: See Continuation Sheet.						
3. Applicant's reply has overcome the following rejecti	on(s):					
4. Newly proposed or amended claim(s) would canceling the non-allowable claim(s).	be allowable if submitted in a se	eparate, timely filed amendment				
5.⊠ The a) affidavit, b) exhibit, or c) request for application in condition for allowance because: Sec		dered but does NOT place the				
6. The affidavit or exhibit will NOT be considered becaraised by the Examiner in the final rejection.	ause it is not directed SOLELY t	o issues which were newly				
7. For purposes of Appeal, the proposed amendment explanation of how the new or amended claims we						
The status of the claim(s) is (or will be) as follows:						
Claim(s) allowed:						
Claim(s) objected to:						
Claim(s) rejected: 23-25.						
Claim(s) withdrawn from consideration: 26-38.						
8. The proposed drawing correction filed on is a) approved or b) disapproved by the Examiner.						
9. Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s)						
10. Other:		TAMBIE SCHEIMER				

PRINCIPY EXAMINER

C ntinuation Sheet (PTO-303)

Application N . 009/041,975



Continuation of 2. NOTE: Applicants are reminded that they cannot, as a matter of right, amend any finally rejected claims, add new claims after a final rejection, or reinstate previously canceled claims (see 37 C.F.R. 1.116. and M.P.E.P. 714.13). Applicants' proposed amendment introduces new claims 39-41 which differ significantly from the claims currently under examination. Accordingly, substantial further consideration and searching will be required. Additionally, the claims may introduce new matter. Therefore, the proposed amendment will NOT be entered..

Continuation of 5. does NOT place the application in condition for allowance because: the claims stand rejected for the reasons of record clearly set forth in the last Office action (paper no. 19).